

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAMUEL KENNETH PORTER,
Plaintiff,

No. C 13-1485 SI (pr)

ORDER OF TRANSFER

v.

CAPTAIN JENNINGS; et al.,
Defendants.

Plaintiff sent to the court a document entitled "notice of polygraph evidence to be used in trial." (Docket # 1.) In an effort to protect his rights, a new action was opened and the notice was filed on April 3, 2013. Plaintiff was informed that he had not filed a complaint, and was given 28 days to do so or the action would be dismissed.

Plaintiff then filed a request for extension of time to file his complaint, and filed the complaint on the same day. Plaintiff's request for an extension of time is GRANTED. (Docket # 6.) The complaint (Docket # 8) received on April 25, 2013 has been filed.

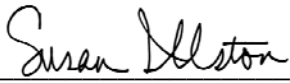
In his civil rights complaint under 42 U.S.C. § 1983, plaintiff complains about tapeworms that he is hearing and seeing in his body and excrement at Calipatria State Prison. That facility is in Imperial County, and within the venue of the Southern District of California. Some or all of the defendants apparently reside in the Southern District of California. No defendant is alleged to reside in, and none of the events or omissions giving rise to the complaint occurred in, the Northern District. Venue therefore would be proper in the Southern District and not in this one. See 28 U.S.C. § 1391(b). Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the

1 Southern District of California. The clerk shall transfer this matter.

2 This court has not ruled on plaintiff's *in forma pauperis* application.

3 IT IS SO ORDERED.

4 Dated: July 2, 2013


SUSAN ILLSTON
United States District Judge